

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SAN JOSE REZONING 15 PROPERTIES FROM THE CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO UR URBAN RESIDENTIAL ZONING DISTRICT, 12 PROPERTIES FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO UV URBAN VILLAGE ZONING DISTRICT, EIGHT PROPERTIES FROM IP INDUSTRIAL PARK ZONING DISTRICT TO TEC TRANSIT EMPLOYMENT CENTER ZONING DISTRICT, ~~SEVEN~~ **SIX** PROPERTIES FROM R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN ZONING DISTRICT, SIX PROPERTIES FROM HI HEAVY INDUSTRIAL ZONING DISTRICT TO UV URBAN VILLAGE ZONING DISTRICT, FIVE PROPERTIES FROM R-M MULTIFAMILY **RESIDENTIAL** ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, FOUR PROPERTIES FROM CG COMMERCIAL GENERAL ZONING DISTRICT TO UV URBAN VILLAGE ZONING DISTRICT, FOUR PROPERTIES FROM HI HEAVY INDUSTRIAL ZONING DISTRICT TO UR URBAN RESIDENTIAL ZONING DISTRICT, FOUR PROPERTIES FROM LI LIGHT INDUSTRIAL ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, THREE PROPERTIES FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO MUC MIXED USE COMMERCIAL ZONING DISTRICT, THREE PROPERTIES FROM CP COMMERCIAL PEDESTRIAN ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, TWO PROPERTIES FROM CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT TO UV URBAN VILLAGE ZONING DISTRICT, TWO PROPERTIES FROM CO COMMERCIAL OFFICE ZONING DISTRICT TO MUC MIXED USE COMMERCIAL ZONING DISTRICT, TWO PROPERTIES FROM R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO UR URBAN RESIDENTIAL ZONING DISTRICT, TWO PROPERTIES FROM R-2 TWO-FAMILY RESIDENTIAL ZONING DISTRICT TO UV URBAN VILLAGE ZONING DISTRICT, TWO PROPERTIES FROM R-M MULTIFAMILY RESIDENTIAL ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN ZONING DISTRICT, TWO PROPERTIES FROM R-M MULTIFAMILY RESIDENTIAL ZONING DISTRICT TO UR URBAN RESIDENTIAL ZONING DISTRICT, ONE PROPERTY FROM A AGRICULTURE ZONING DISTRICT TO TR TRANSIT RESIDENTIAL ZONING

DISTRICT, ONE PROPERTY FROM A AGRICULTURE ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, ONE PROPERTY FROM R-1-5 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN ZONING DISTRICT, ONE PROPERTY FROM R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, ONE PROPERTY FROM R-2 TWO-FAMILY RESIDENTIAL ZONING DISTRICT TO MUN MIXED USE NEIGHBORHOOD ZONING DISTRICT, ONE PROPERTY FROM R-2 TWO-FAMILY RESIDENTIAL ZONING DISTRICT TO CP COMMERCIAL PEDESTRIAN ZONING DISTRICT, ONE PROPERTY FROM R-M MULTIFAMILY RESIDENTIAL ZONING DISTRICT TO TR TRANSIT RESIDENTIAL ZONING DISTRICT, **ONE PROPERTY FROM R-1-8 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT TO CN COMMERCIAL NEIGHBORHOOD ZONING DISTRICT,** AND ONE PROPERTY FROM R-M MULTIFAMILY RESIDENTIAL ZONING DISTRICT TO UV URBAN VILLAGE ZONING DISTRICT, LOCATED IN VARIOUS LOCATIONS ON THOSE CERTAIN REAL PROPERTIES WITHIN THE CITY OF SAN JOSE

WHEREAS, all rezoning proceedings required under the provisions of Chapter 20.120 of Title 20 of the San José Municipal Code have been duly had and taken with respect to the real property hereinafter described; and

WHEREAS, pursuant to Section 15168(c)(2) of the CEQA Guidelines, the City of San José has determined the proposed rezoning is pursuant to, in furtherance of and within the scope of the previously approved program evaluated in the Final Program Environmental Impact Report for the Envision San José 2040 General Plan (the “FEIR”), for which findings were adopted by City Council through its Resolution No. 76041 on November 1, 2011 and Supplemental Environmental Impact Report (the “SEIR”), through Resolution No. 77617, adopted by City Council on December 15, 2015, and Addenda thereto, and does not involve new significant effects beyond those analyzed in the FEIR and SEIR; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezonings to the CP Commercial Pedestrian, CN Commercial Neighborhood, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, R-1-8 Single-Family Residential, TEC Transit Employment Center, TR Transit Residential, UR Urban Residential, and UV Urban Village zoning districts; and

WHEREAS, this Council of the City of San José has considered and approves the information contained in the FEIR and related City Council Resolution No. 76041, and in the SEIR and related City Council Resolution No. 77617, and Addenda thereto, and the determination of consistency therewith prior to acting upon or approving the subject rezoning; and

WHEREAS, the proposed rezonings are consistent with the designations of the sites in the applicable General Plan; and

WHEREAS, pursuant to Senate Bill 330, the proposed rezonings (File Nos. C23-082, C23-083, C23-084, C23-085, C23-086, C23-087, C23-088) would not decrease the residential units satisfying Senate Bill 330 and Senate Bill 940 requirements; the changes in zoning decrease the residential capacity on some properties by 922 residential units but increase the residential capacity on other properties by 10,079 residential units; therefore, there is still a surplus of 9,157 residential units available ($10,079 - 922 = 9,157$ units) complying with Senate Bill 330 and Senate Bill 940 requirements;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. The recitals above are incorporated herein.

SECTION 2. All that real property hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned to the CP Commercial Pedestrian, CN Commercial Neighborhood, MUC Mixed Use Commercial, MUN Mixed Use Neighborhood, R-1-8 Single-Family Residential, TEC Transit Employment Center, TR Transit Residential, UR Urban Residential, and UV Urban Village zoning districts.

The subject properties referred to in this section are all those real properties situated in the County of Santa Clara, State of California, described in Exhibit "A" and depicted in Exhibit "B" attached hereto and incorporated herein by this reference.

SECTION 3. The district map of the City is hereby amended accordingly.

SECTION 4. Any land development approval that is the subject of City File Nos. C23-082, C23-083, C23-084, C23-085, C23-086, C23-087 and C23-088 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

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PASSED FOR PUBLICATION of title this ____ day of _____, 2023 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT "A"

EXISTING GENERAL PLAN DESIGNATION AND EXISTING AND PROPOSED ZONING DISTRICT PARCEL LIST

File Nos. C23-082, C23-083, C23-084, C23-085, C23-086, C23-087 and C23-088: The following parcels specified by Assessor's Parcel Number (APN) are hereby rezoned from the zoning district specified below as "Existing Zoning" to the zoning district specified below as "Conforming Rezoning."

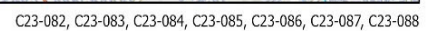
No.	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Residential Units)
1	23502031	UV	CG	UV	361
2	23502033	UV	CG	UV	370
3	23502035	UV	CN	UV	74
4	43419079	MUN	CP	MUN	-151
5	49713061	MUN	CP	MUN	-46
6	46708001	UV	HI	UV	142
7	48431010	NCC	R-1-8	CP	65
8	48426081	NCC	R-1-8	CP	138
9	65905038	NCC	R-1-5	CP	151
10	27908019	UV	CP	UV	74
11	27917044	MUC	CO	MUC	53
12	27925014	UR	CP	UR	-7
13	27925015	UR	CP	UR	-5
14	27925020	UR	CP	UR	-9
15	27925025	UR	CP	UR	-9
16	27925026	UR	CP	UR	-4
17	27926016	UR	CP	UR	-9
18	27926017	UR	CP	UR	-9
19	27927032	UR	CP	UR	-17
20	27927037	UR	CP	UR	-10
21	27927002	UR	CP	UR	-4
22	28403036	NCC	R-M	CP	11
23	29901008	UV	CP	UV	70
24	29901010	UV	CP	UV	480
25	29901012	UV	CP	UV	42
26	29925035	MUC	CO	MUC	446
27	29925014	MUC	CP	MUC	-195
28	29925011	MUC	CP	MUC	-52

No.	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Residential Units)
29	30502034	UR	CP	UR	-9
30	30503045	UR	CP	UR	-9
31	30503014	UR	CP	UR	-15
32	24505015	NCC	R-1-8	CP <u>CPN</u>	163
33	23029088	UV	CP	UV	495
34	47201035	UV	CP	UV	93
35	25414112	UV	CP	UV	77
36	46709067	UV	CG	UV	242
37	46707055	UV	HI	UV	160
38	46707067	UV	HI	UV	176
39	24905058	MUN	LI	MUN	15
40	24908009	MUN	LI	MUN	17
41	24908034	MUN	LI	MUN	42
42	24909004	MUN	LI	MUN	18
43	29901014	UV	CP	UV	39
44	27441075	NCC	R-M	CP	19
45	24542029	UV	CP	UV	471
46	24542030	UV	CN	UV	89
47	27451016	NCC	R-1-8	CP	104
48	45610021	UR	HI	UR	57
49	45610014	UR	HI	UR	69
50	45603003	UR	R-M	UR	0
51	45609008	UR	R-1-8	UR	47
52	45609009	UR	R-1-8	UR	7
53	26402045	MUN	R-1-8	MUN	52
54	26406005	MUN	R-M	MUN	-56
55	26407040	MUN	CP	MUN	-48
56	46708010	UV	HI	UV	654
57	46708011	UV	HI	UV	633
58	46711037	UV	R-2	UV	153
59	46711028	UV	R-2	UV	127
60	46711038	UV	CG	UV	161
61	46724113	UV	R-M	UV	83
62	09206031	MUC	CP	MUC	-52
63	47729056	UR	CP	UR	-9
64	48143028	NCC	R-2	CP	113
65	25414108	UV	CP	UV	305

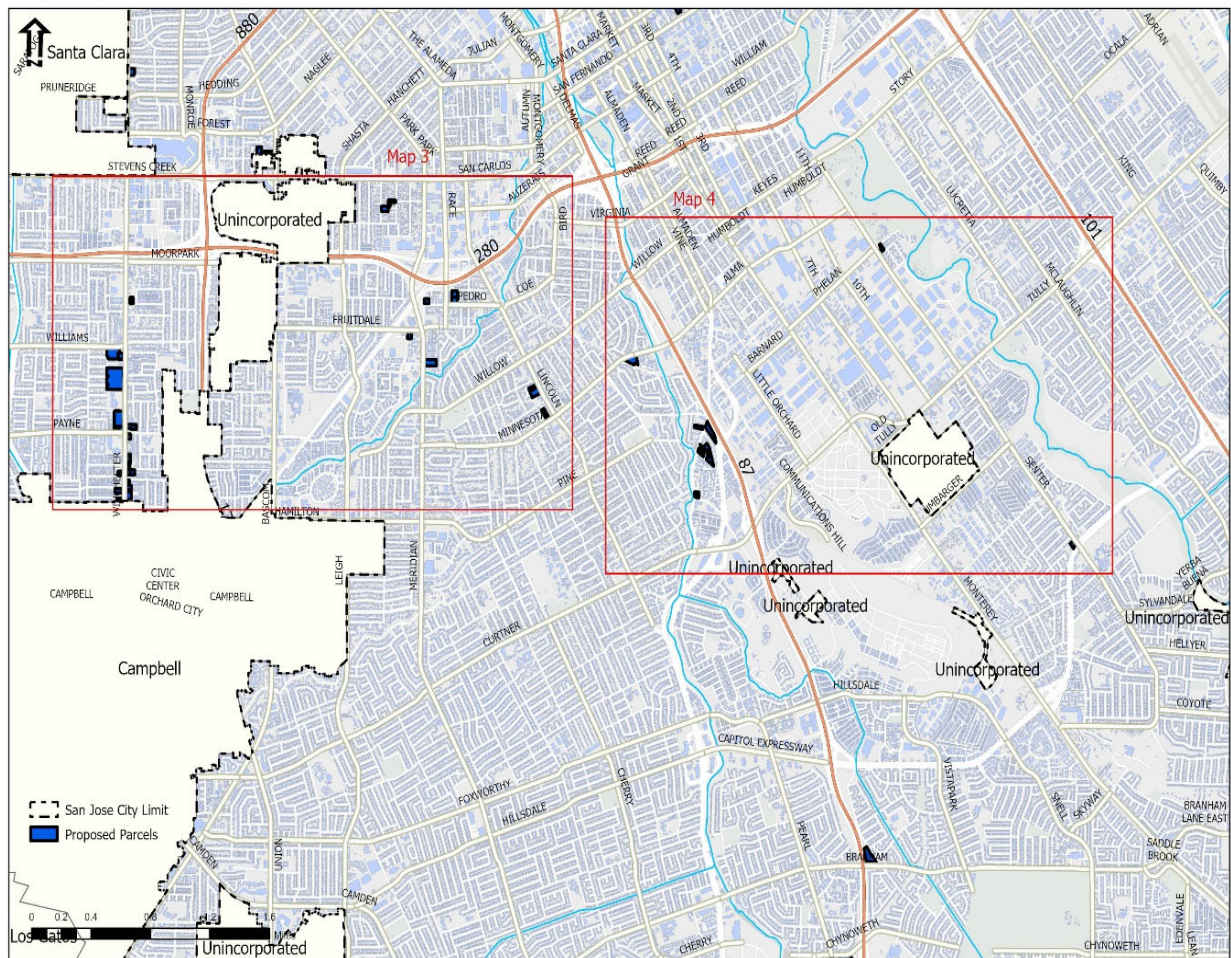
No.	APN	Existing General Plan Designation	Existing Zoning District	Proposed Zoning District	Density Change (Residential Units)
66	25414064	UV	CP	UV	327
67	42916051	NCC	R-1-8	CP	77
68	42916068	NCC	R-1-8	CP	176
69	10130004	TEC	IP	TEC	0
70	10130006	TEC	IP	TEC	0
71	10129005	TEC	IP	TEC	0
72	10129011	TEC	IP	TEC	0
73	10129006	TEC	IP	TEC	0
74	10129010	TEC	IP	TEC	0
75	10129013	TEC	IP	TEC	0
76	10129012	TEC	IP	TEC	0
77	45811020	TR	A	TR	973
78	25429026	TR	R-M	TR	210
79	42917036	NCC	R-1-8	CP	93
80	45610023	UR	HI	UR	75
81	27927001	UR	CP	UR	-4
82	25417113	UV	CP	UV	450
83	46708002	UV	HI	UV	394
84	45610005	UR	R-M	UR	0
85	24908020	MUN	R-2	MUN	16
86	25429027	MUN	R-M	MUN	-35
87	26406011	MUN	R-M	MUN	-56
88	46202026	MUN	A	MUN	72
89	45610019	UR	HI	UR	58
90	27718031	MUN	R-M	MUN	-43
91	27718008	MUN	R-M	MUN	-59

EXISTING GENERAL PLAN DESIGNATION AND EXISTING AND PROPOSED ZONING DISTRICT MAPS

Key Map 1



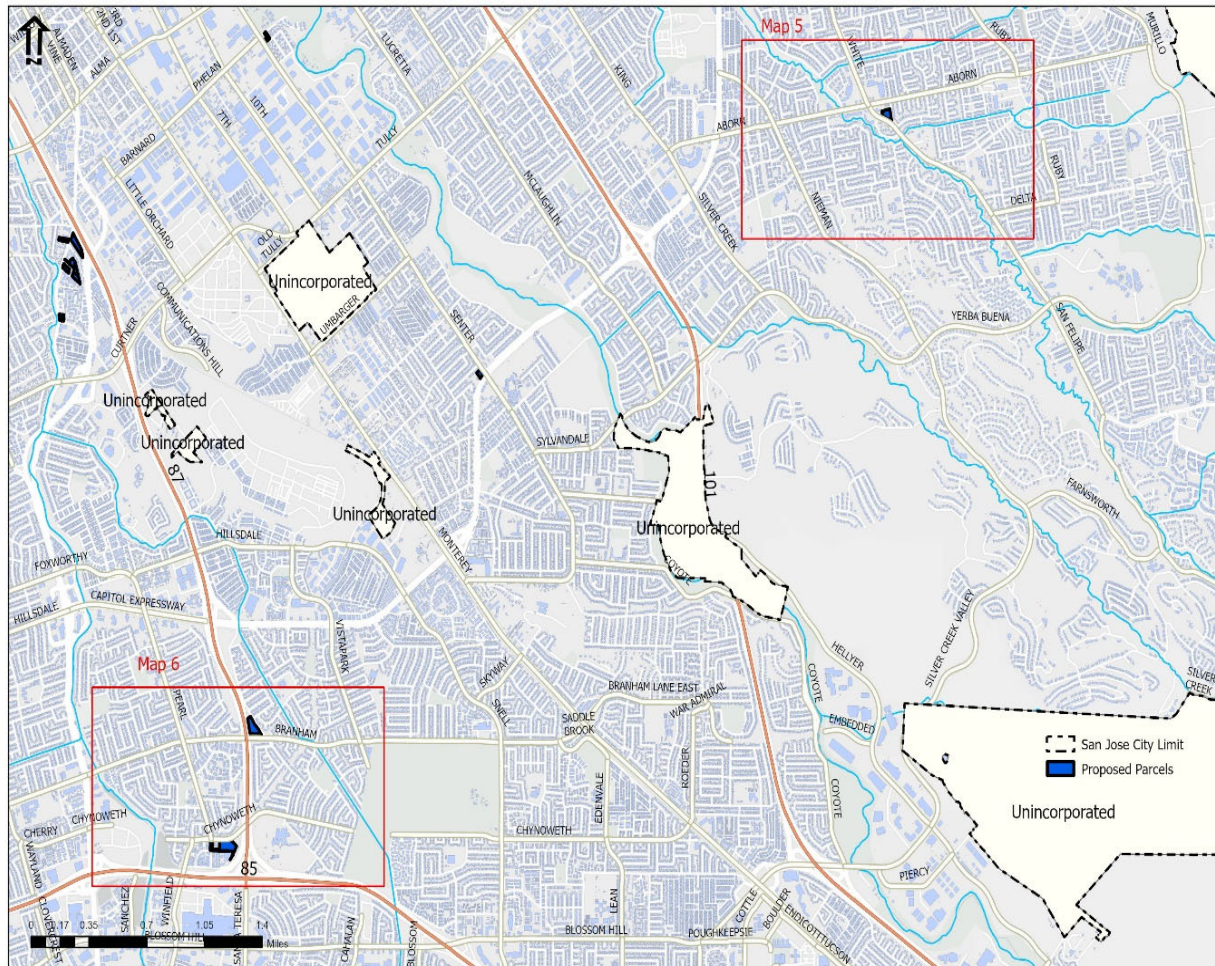
Key Map 2



City Council Meeting, May 9, 2023

C23-082, C23-083, C23-084, C23-085, C23-086, C23-087, C23-088

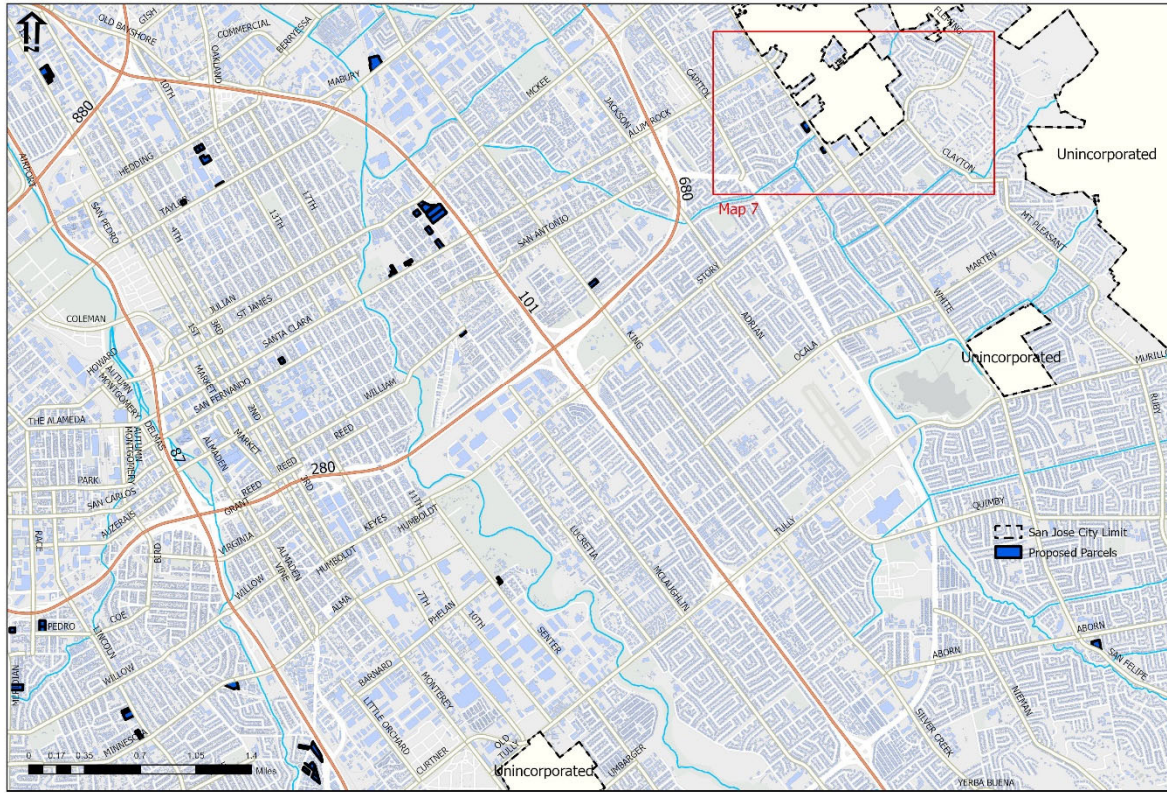
Key Map 3



City Council Meeting, May 9, 2023

C23-082, C23-083, C23-084, C23-085, C23-086, C23-087, C23-088

Key Map 4

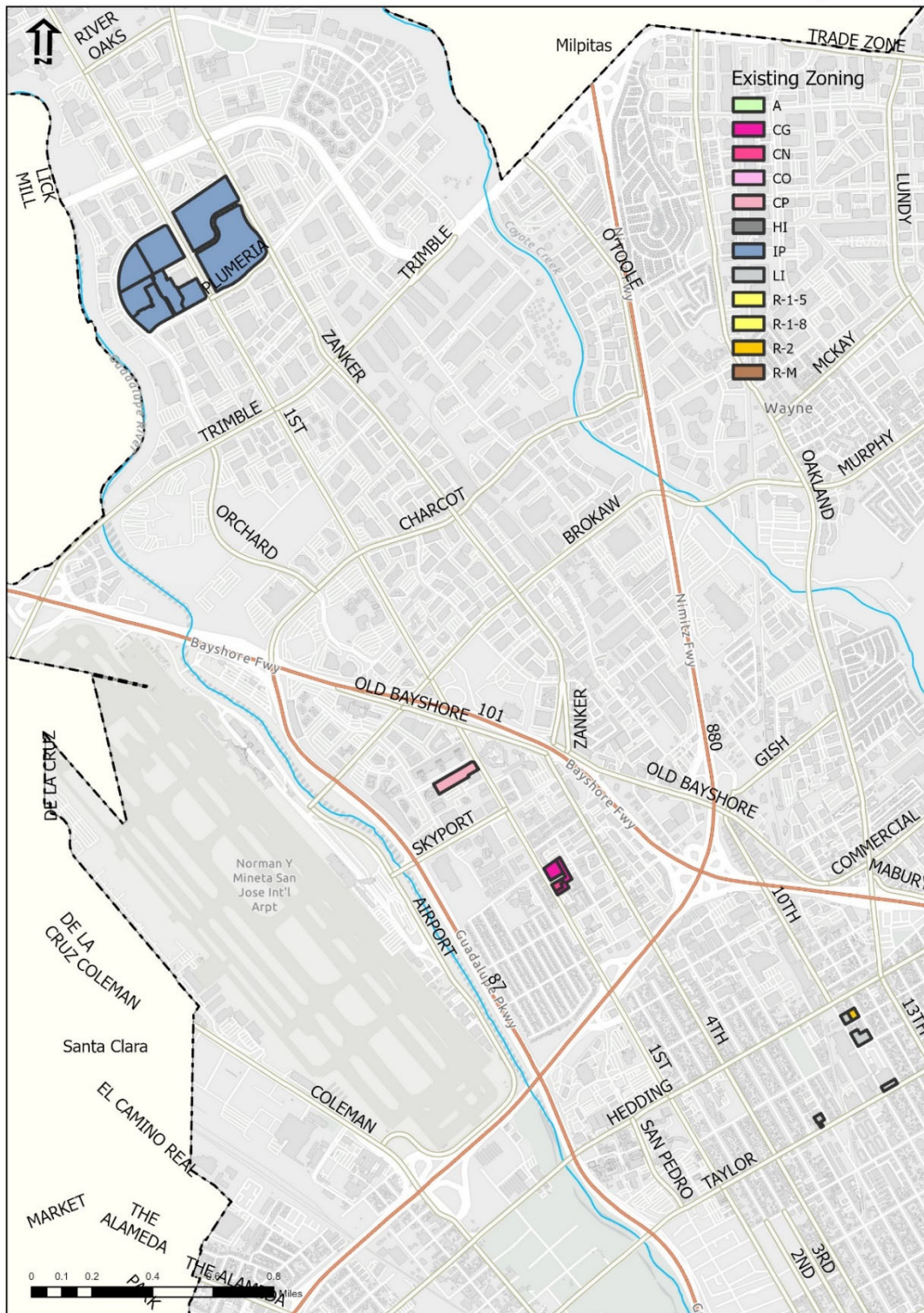


City Council Meeting, May 9, 2023

C23-082, C23-083, C23-084, C23-085, C23-086, C23-087, C23-088

Map 1

Existing Zoning



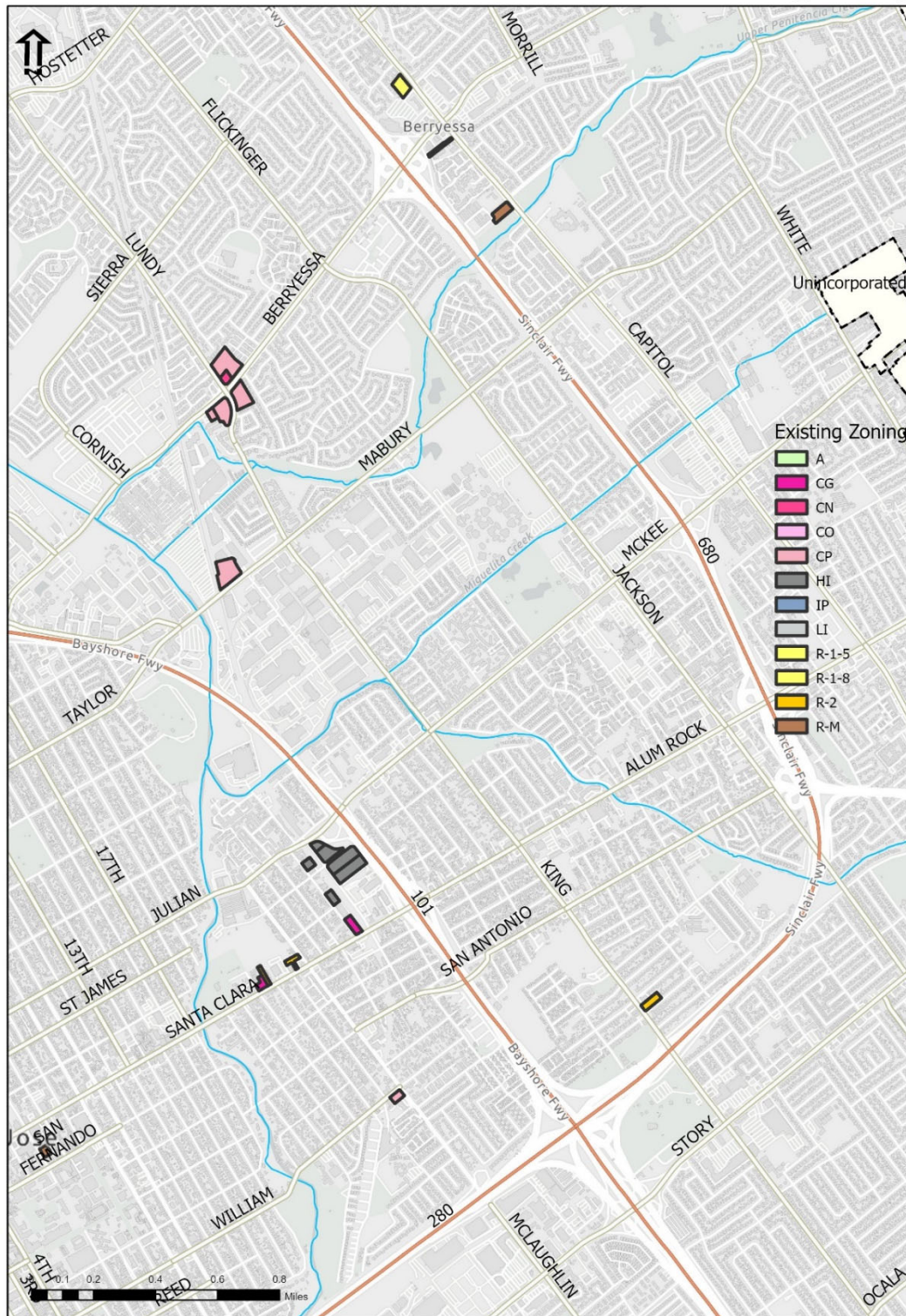
T-52000 \ 2010629_4
Council Agenda: 5/9/2023
Item No.: 10.1(a)

DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.

REVISED - Administrative changes made since original posting on 4/28/2023.

Map 2

Existing Zoning



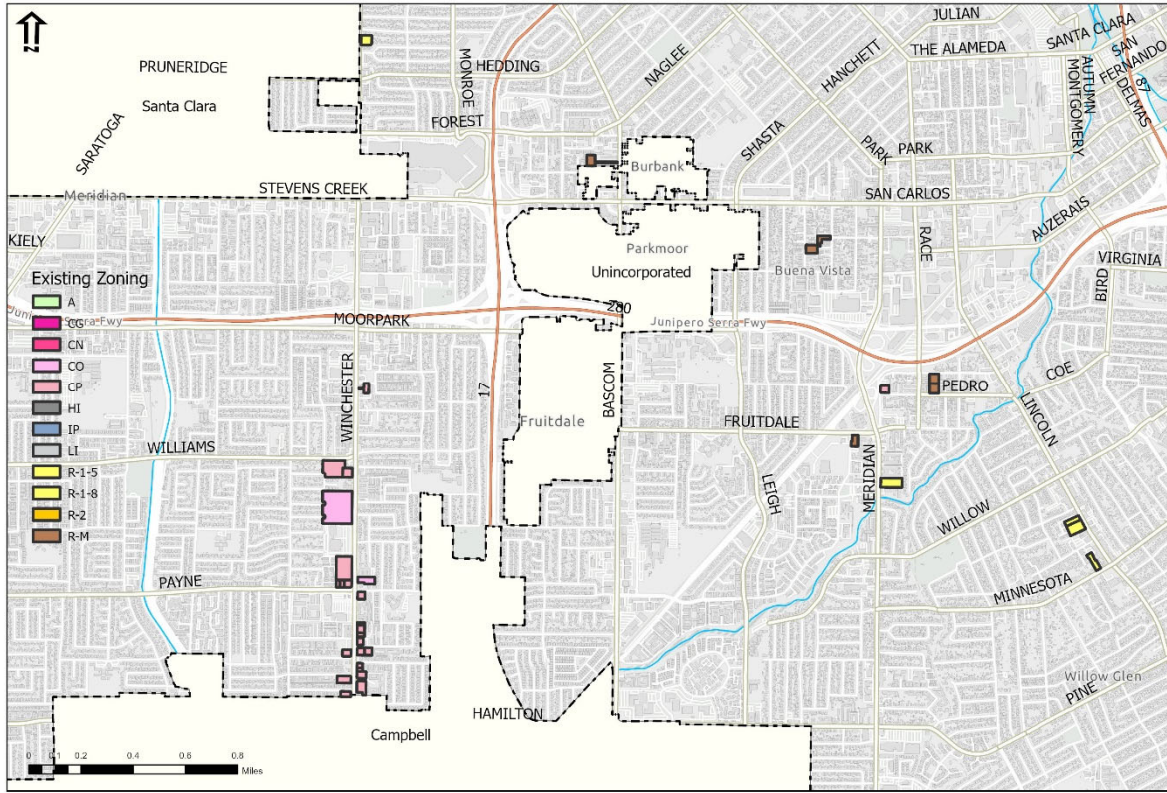
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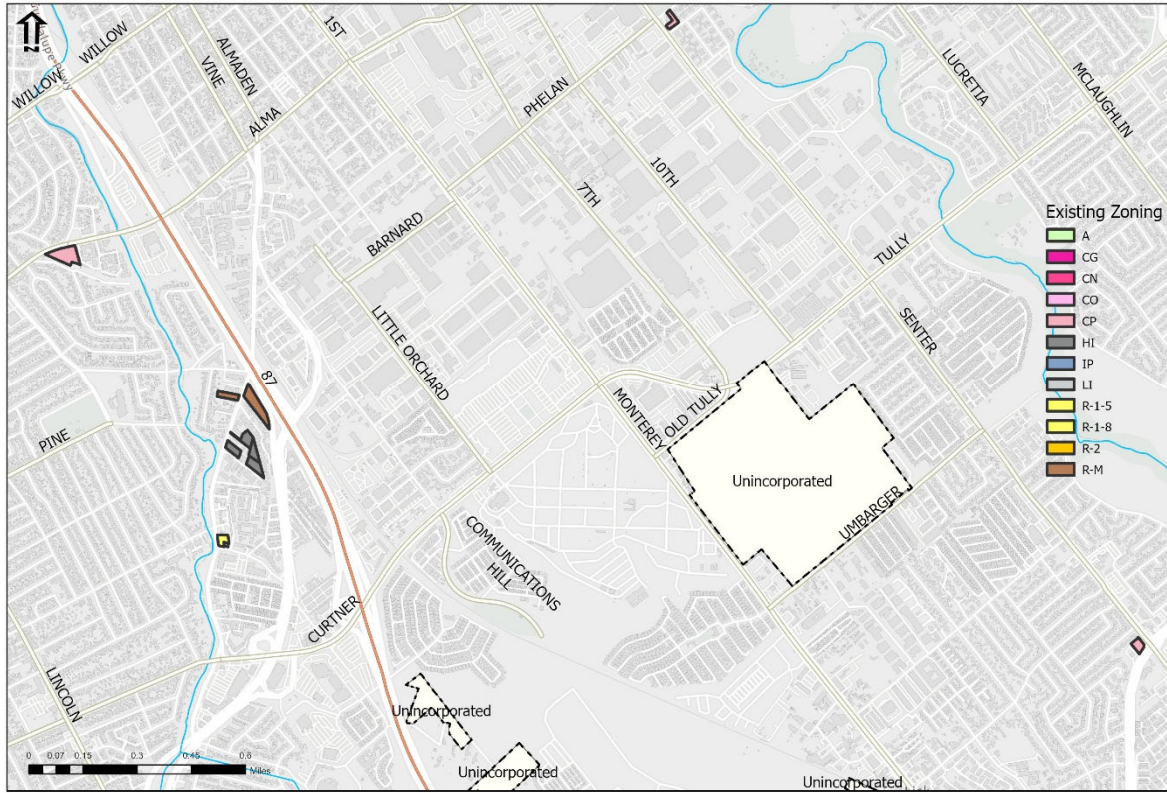
Map 3

Existing Zoning



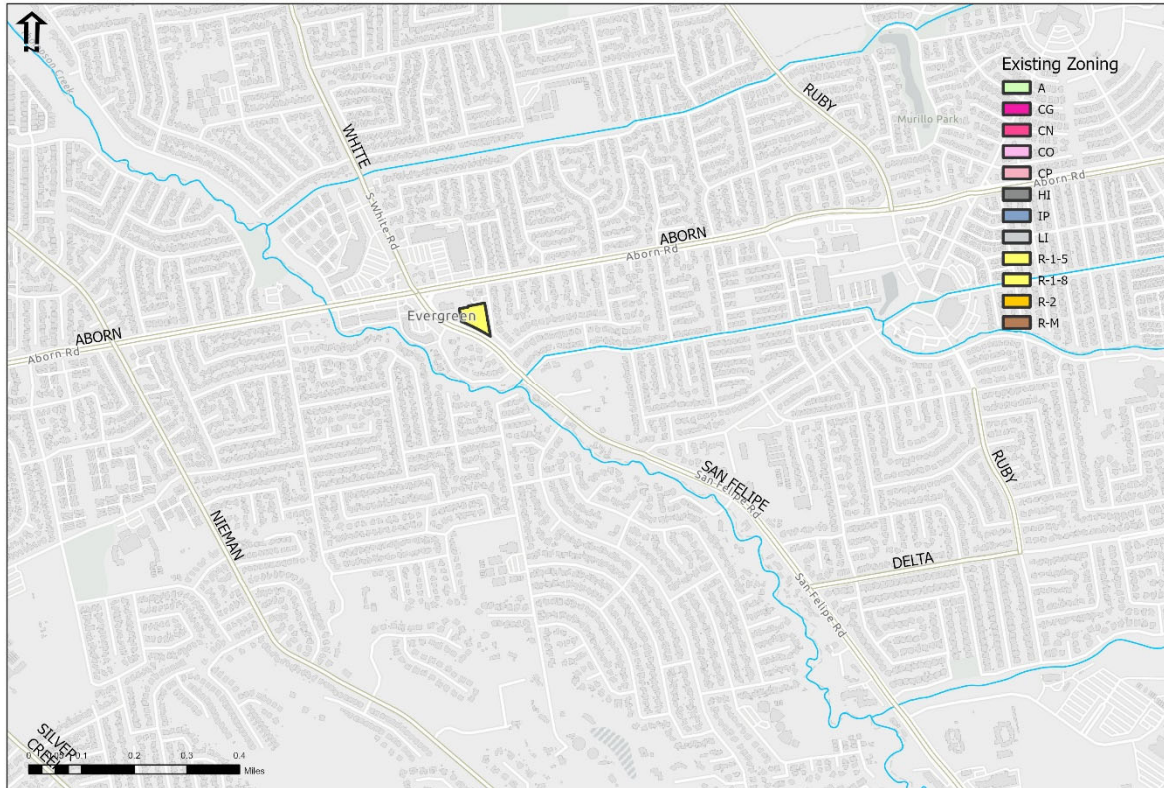
Map 4

Existing Zoning



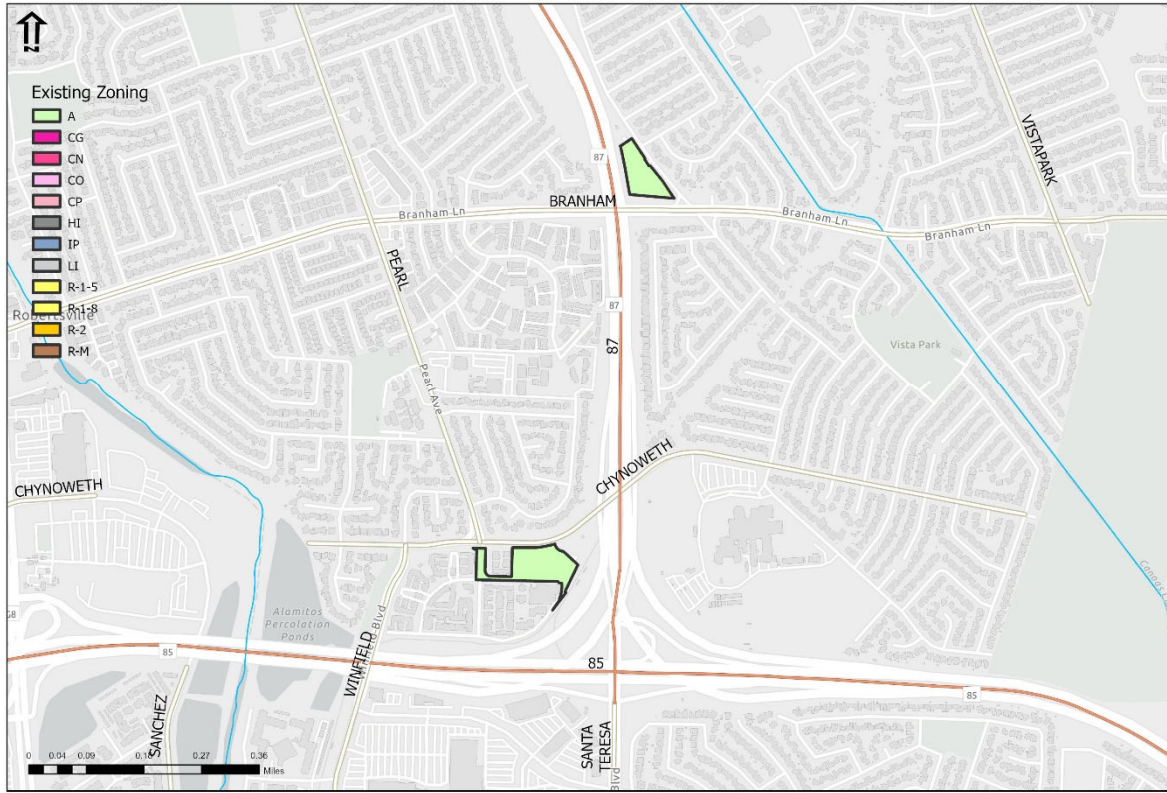
Map 5

Existing Zoning



Map 6

Existing Zoning



B-10

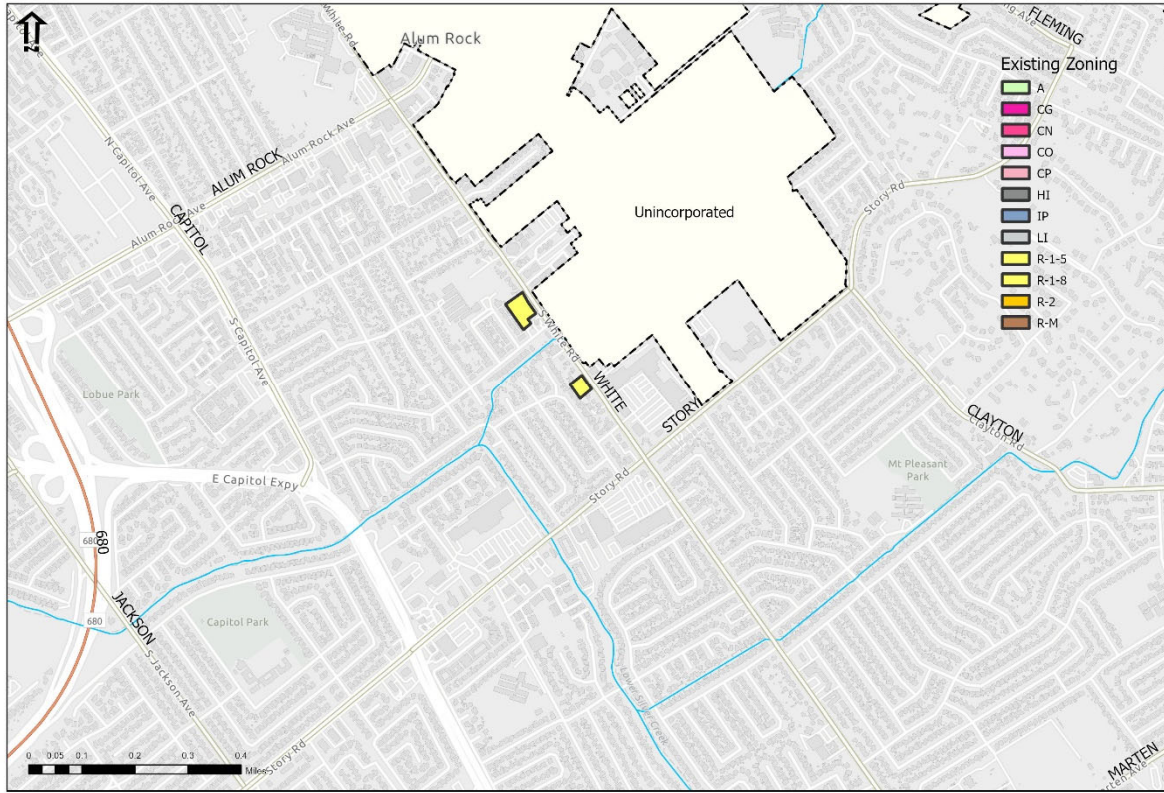
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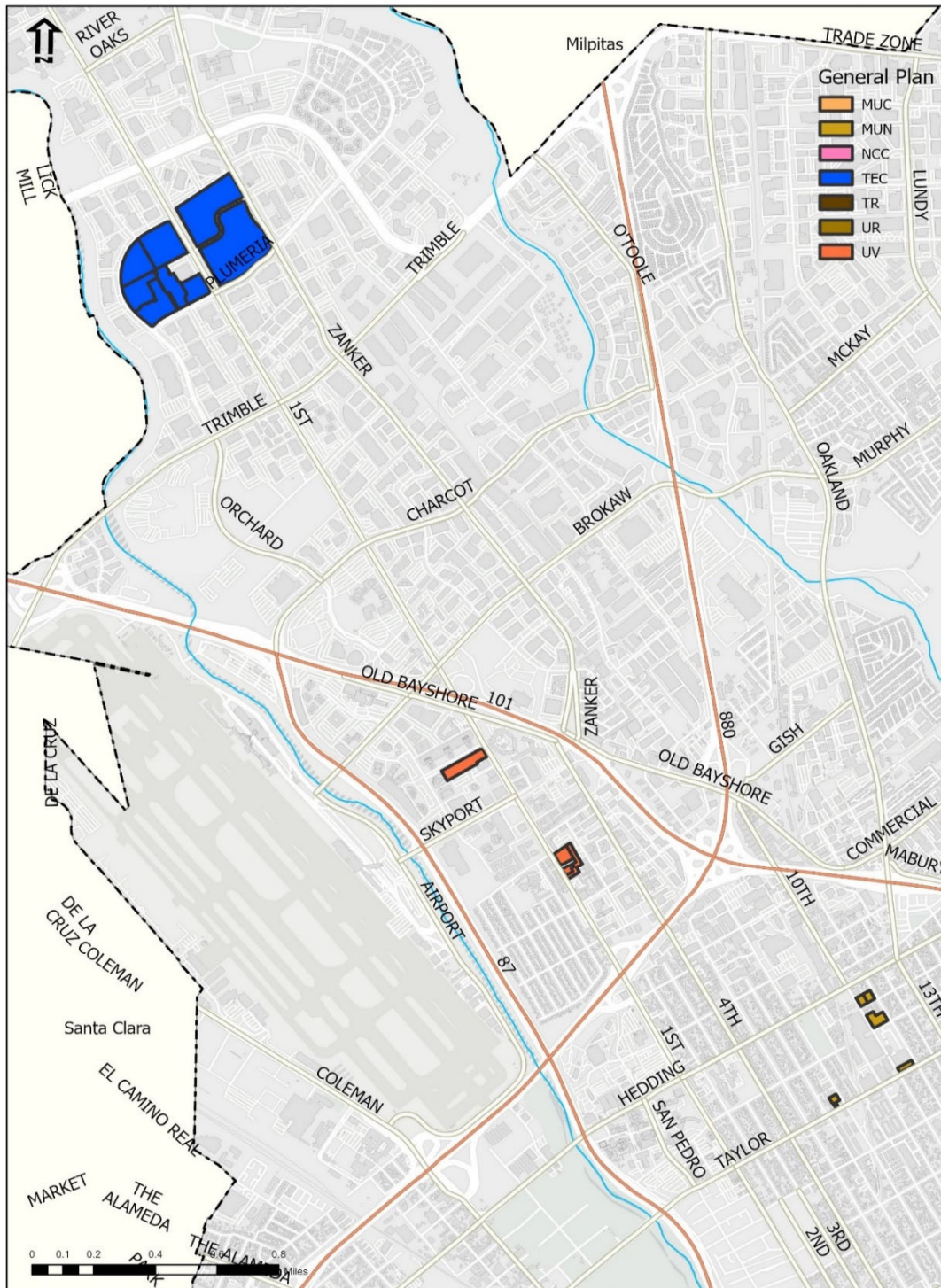
Map 7

Existing Zoning



Map 1

General Plan



B-12

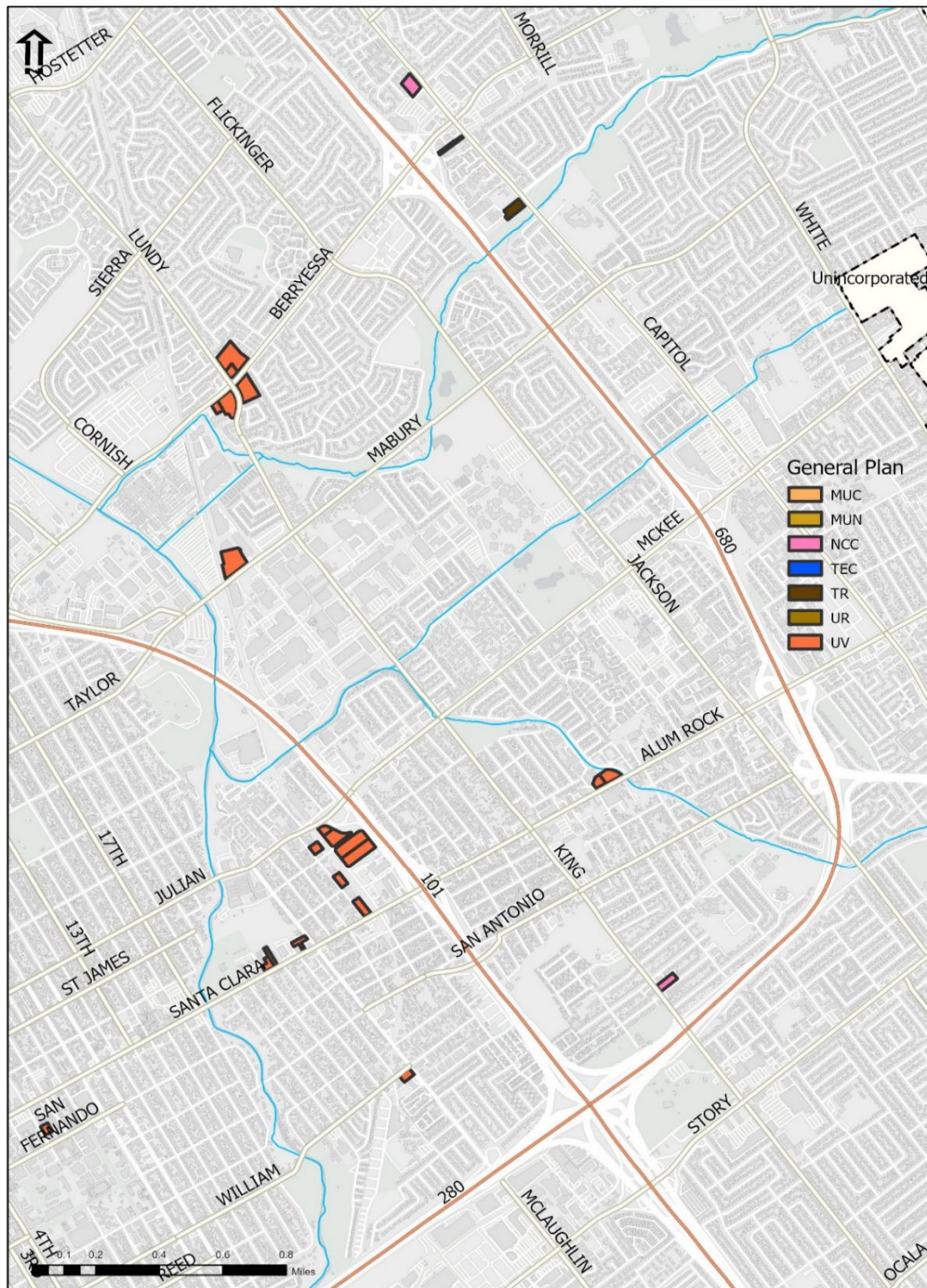
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Map 2

General Plan



B-13

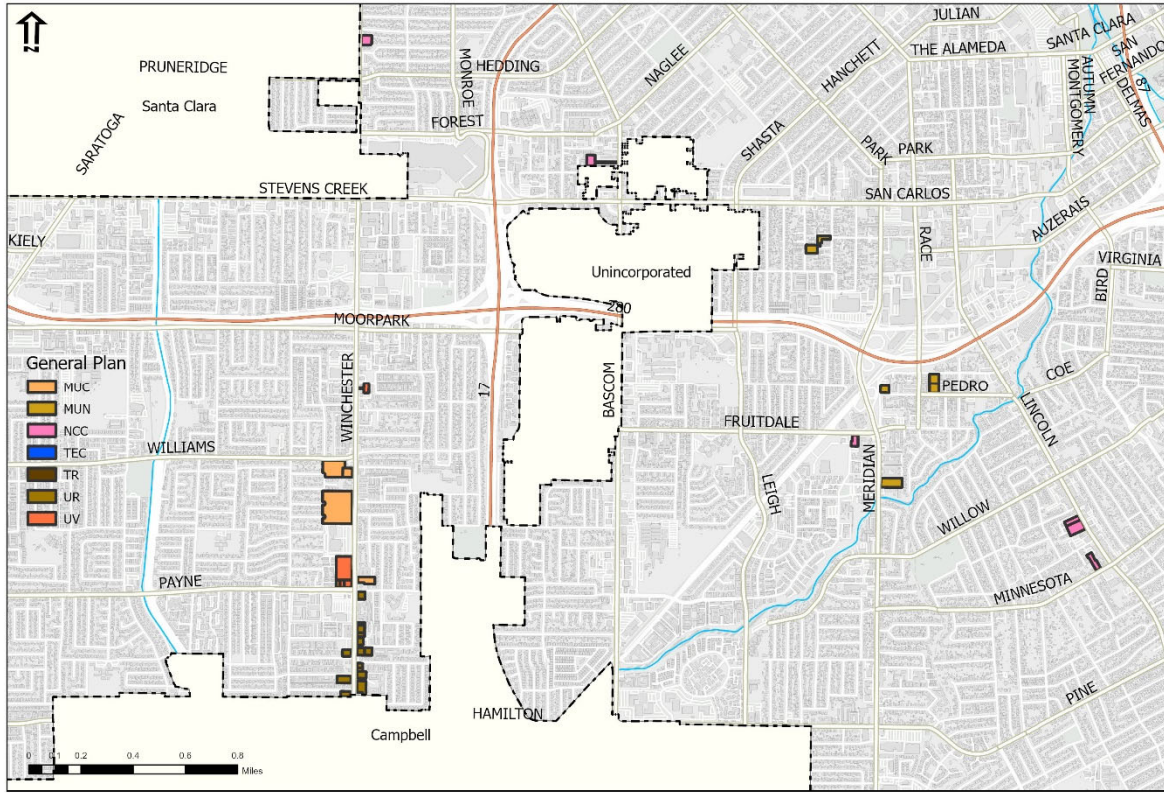
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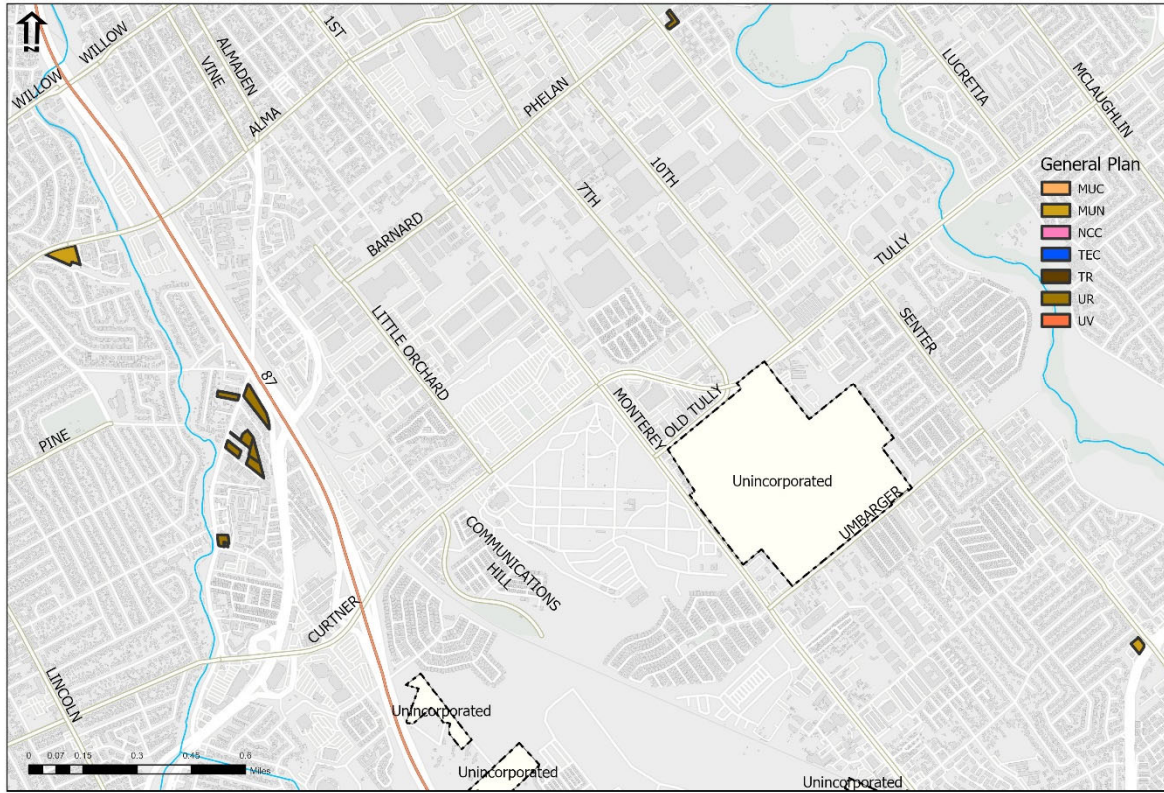
Map 3

General Plan



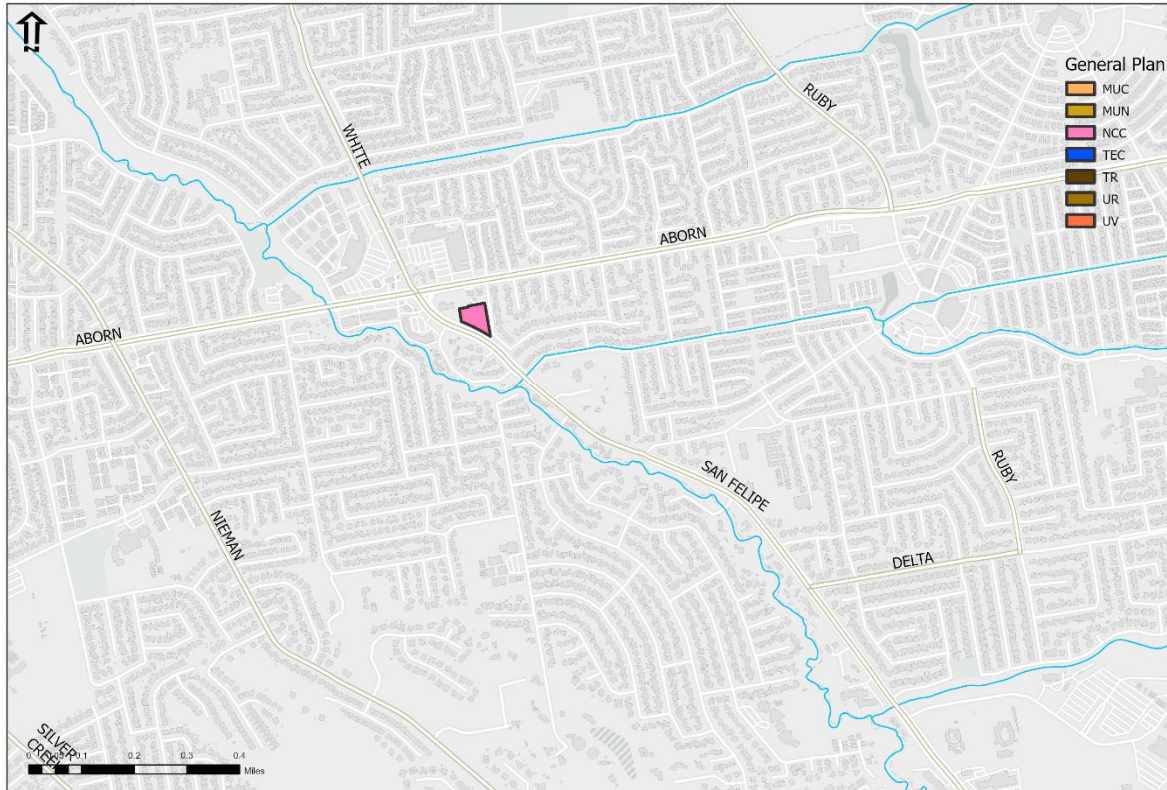
Map 4

General Plan



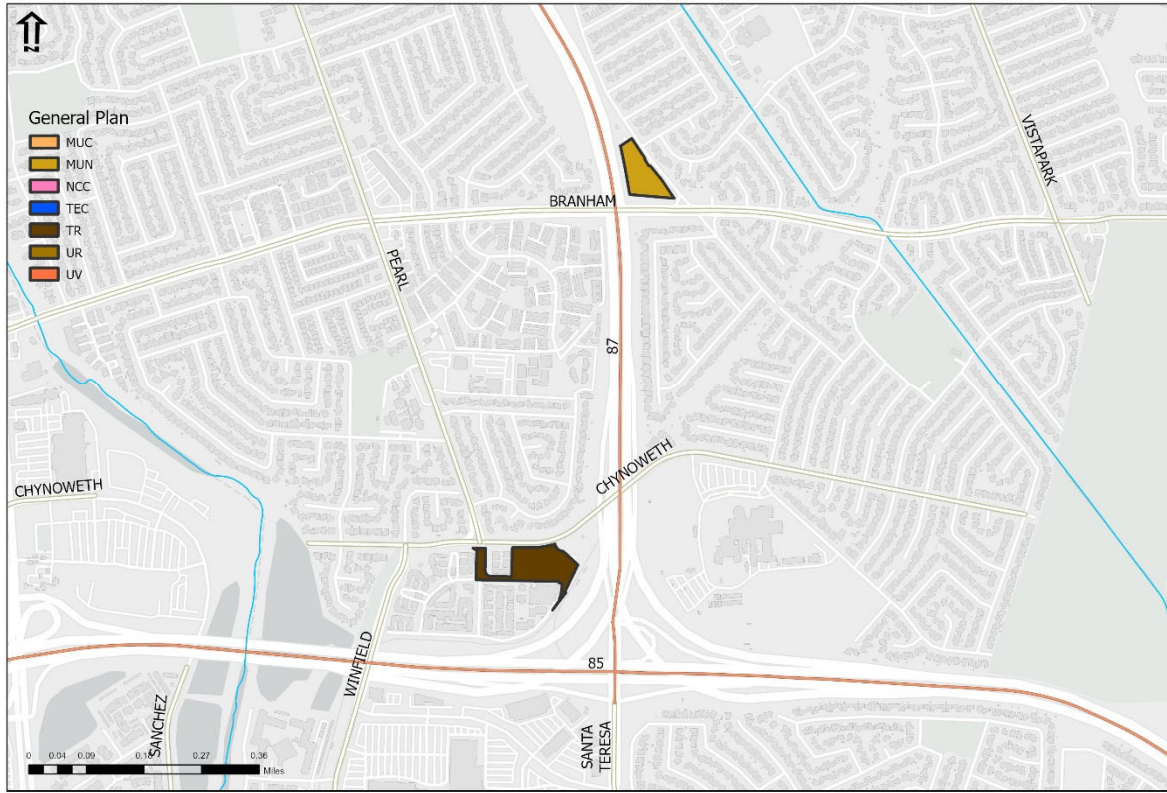
Map 5

General Plan



Map 6

General Plan



B-17

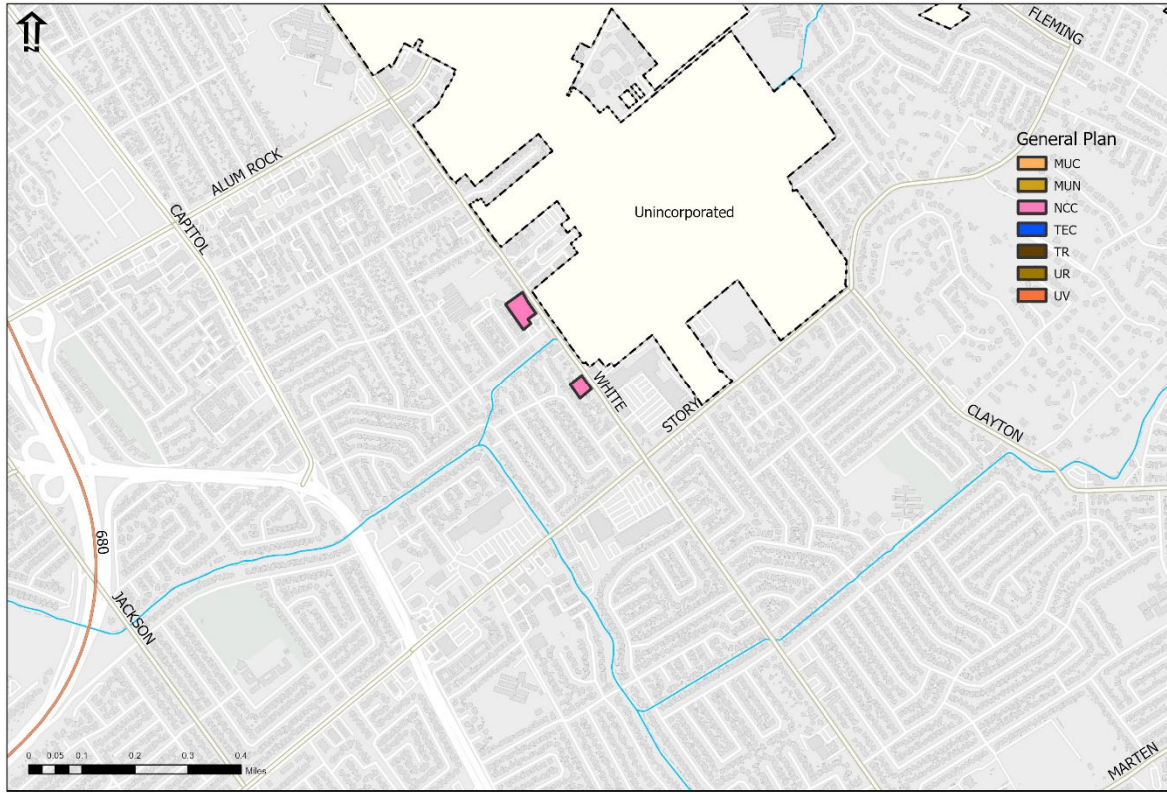
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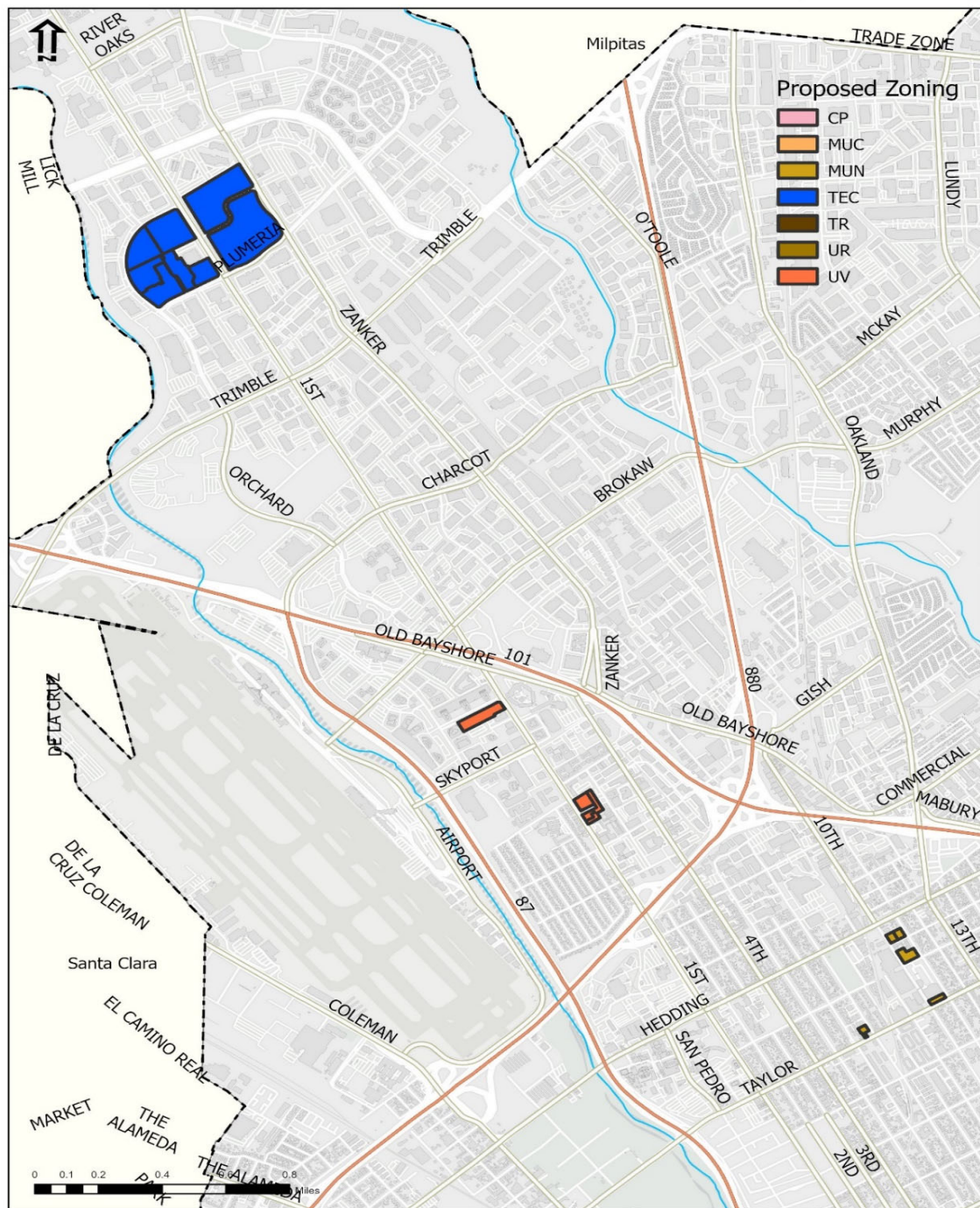
Map 7

General Plan



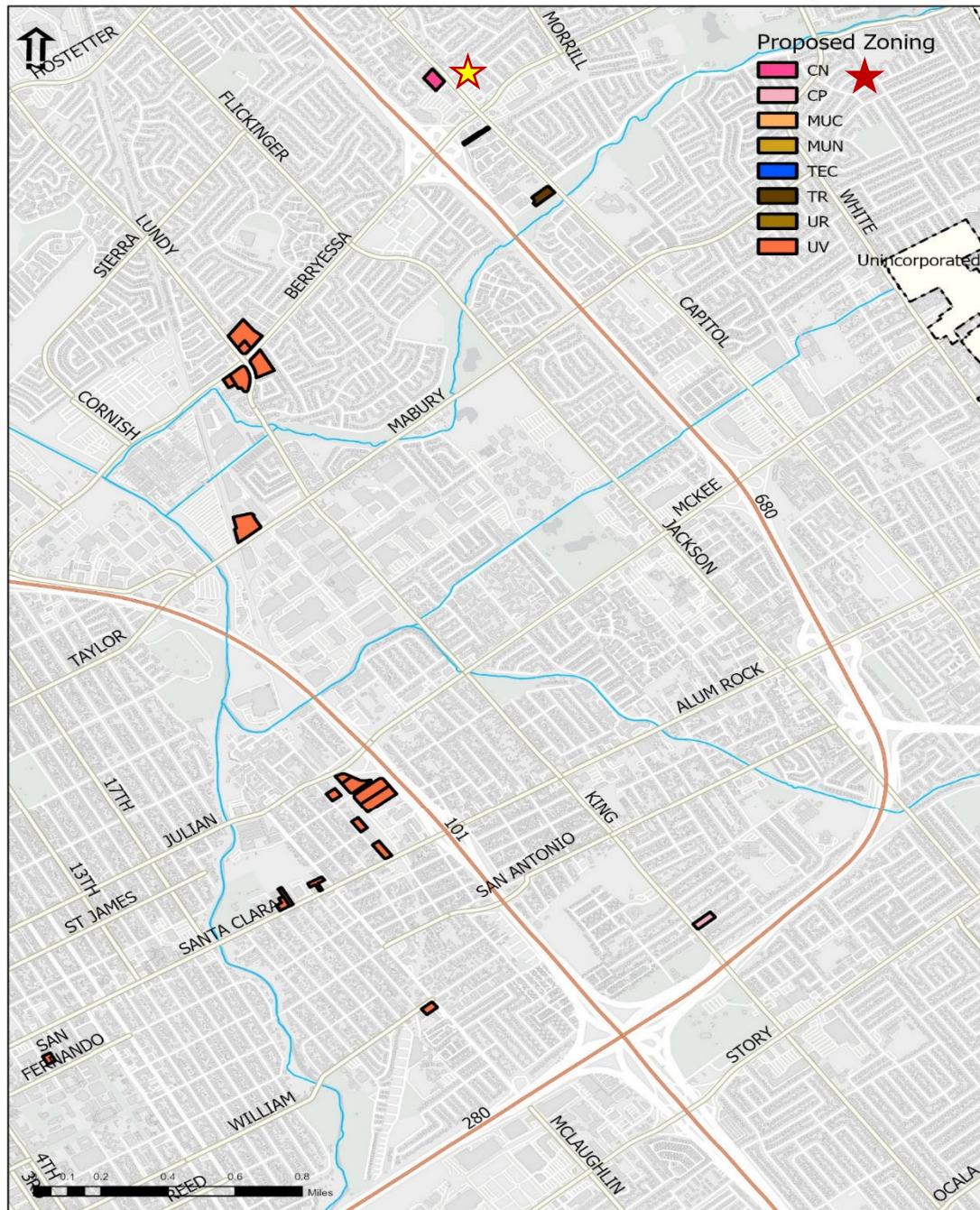
Map 1

Proposed Zoning



Map 2

Proposed Zoning



- ★ CN Commercial Neighborhood Zoning District added to legend.
- ★ CP Commercial Pedestrian changed to CN Commercial Neighborhood zoning district (APN 24505015).

B-20

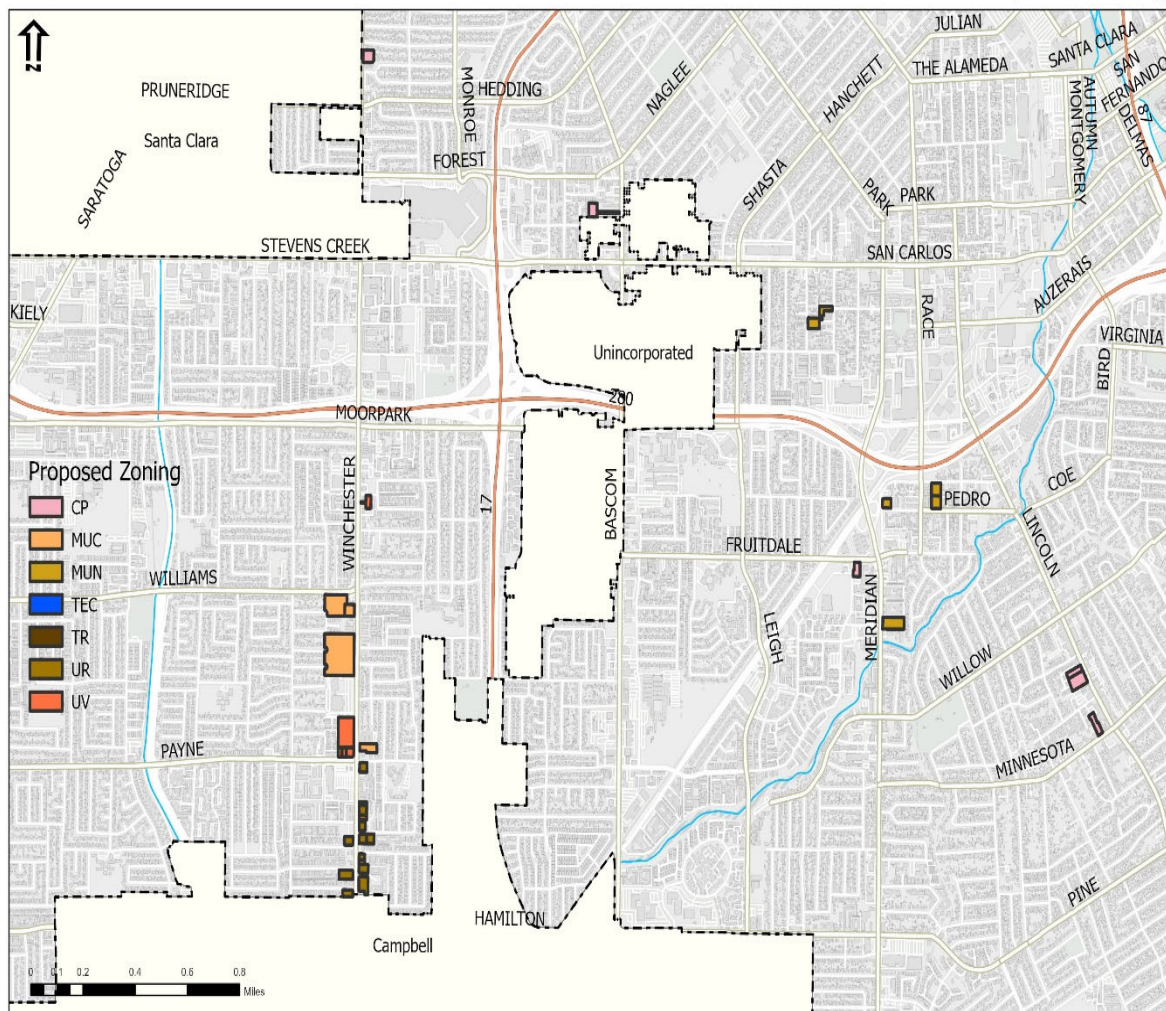
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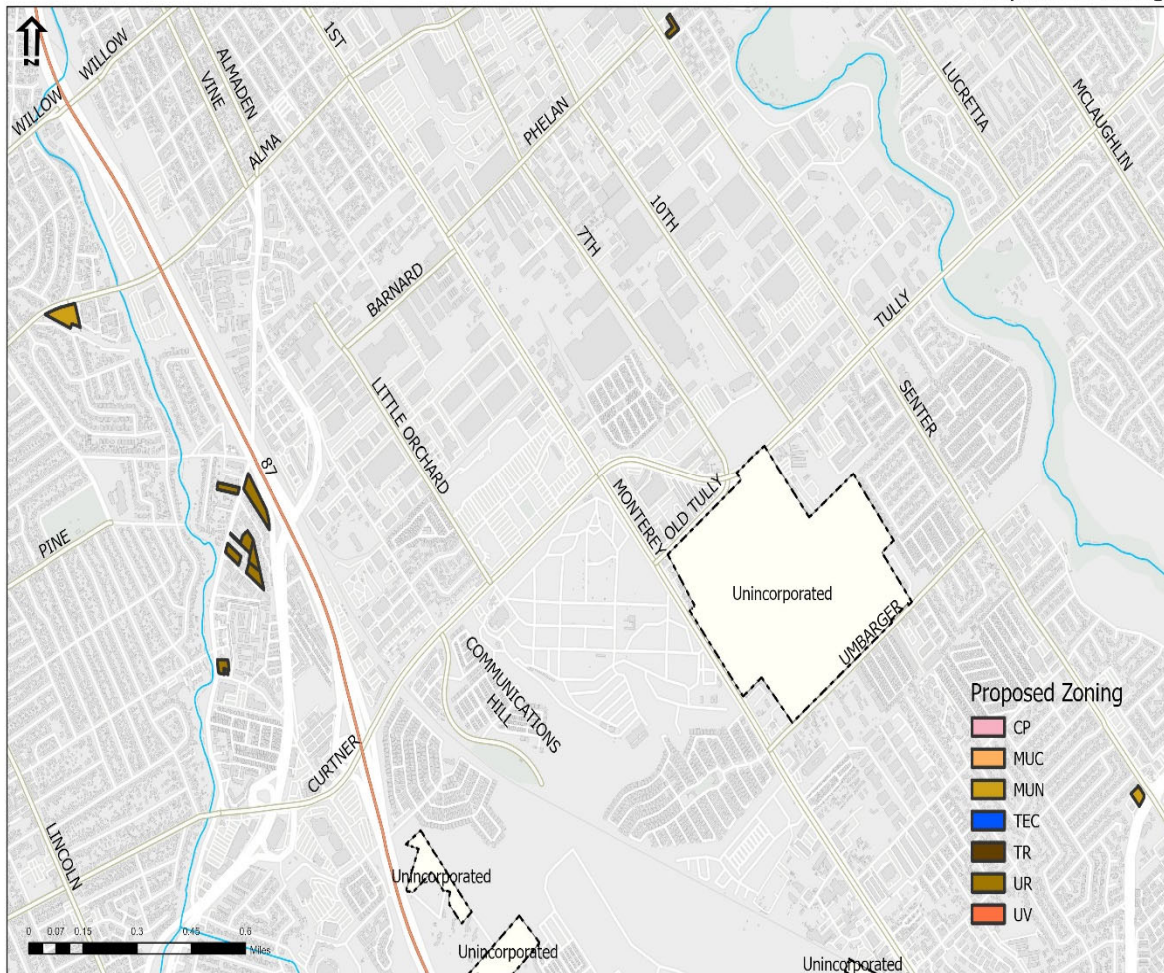
Map 3

Proposed Zoning



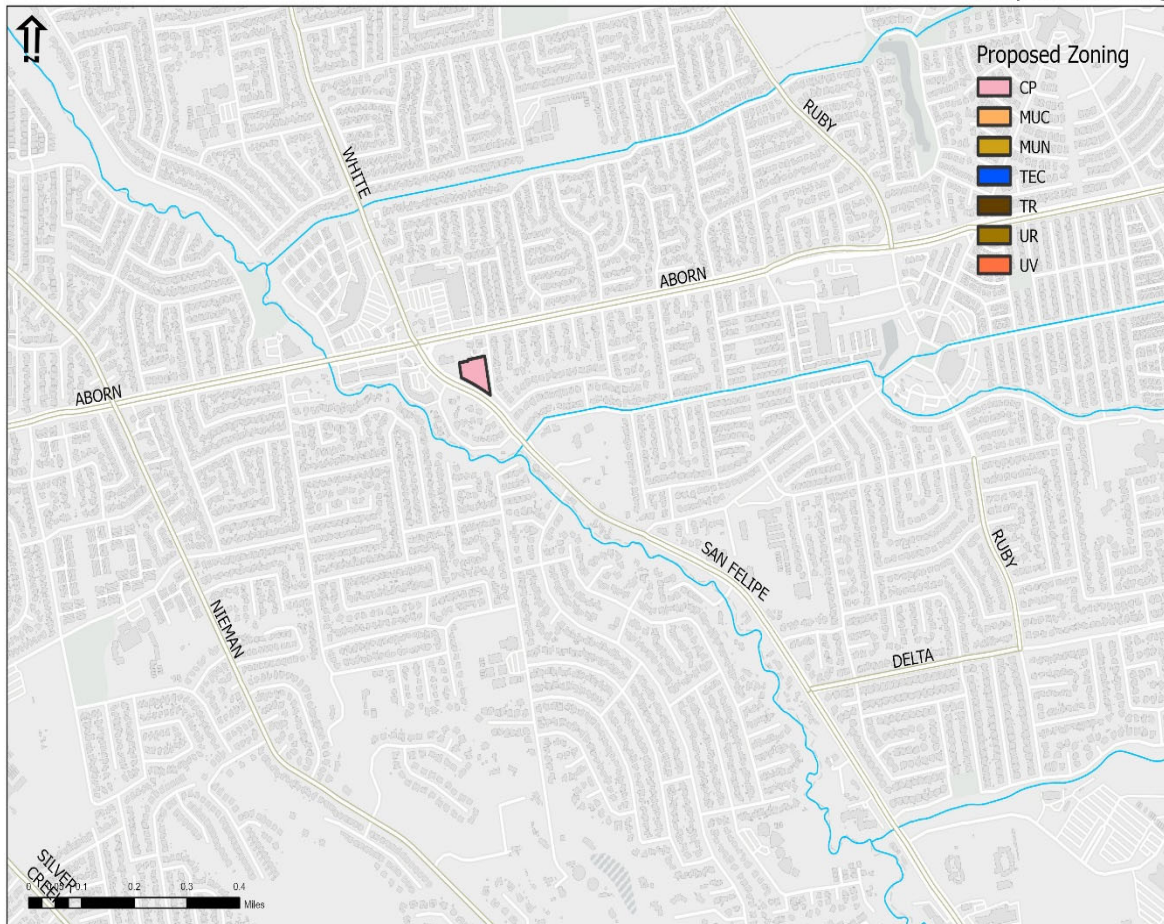
Map 4

Proposed Zoning



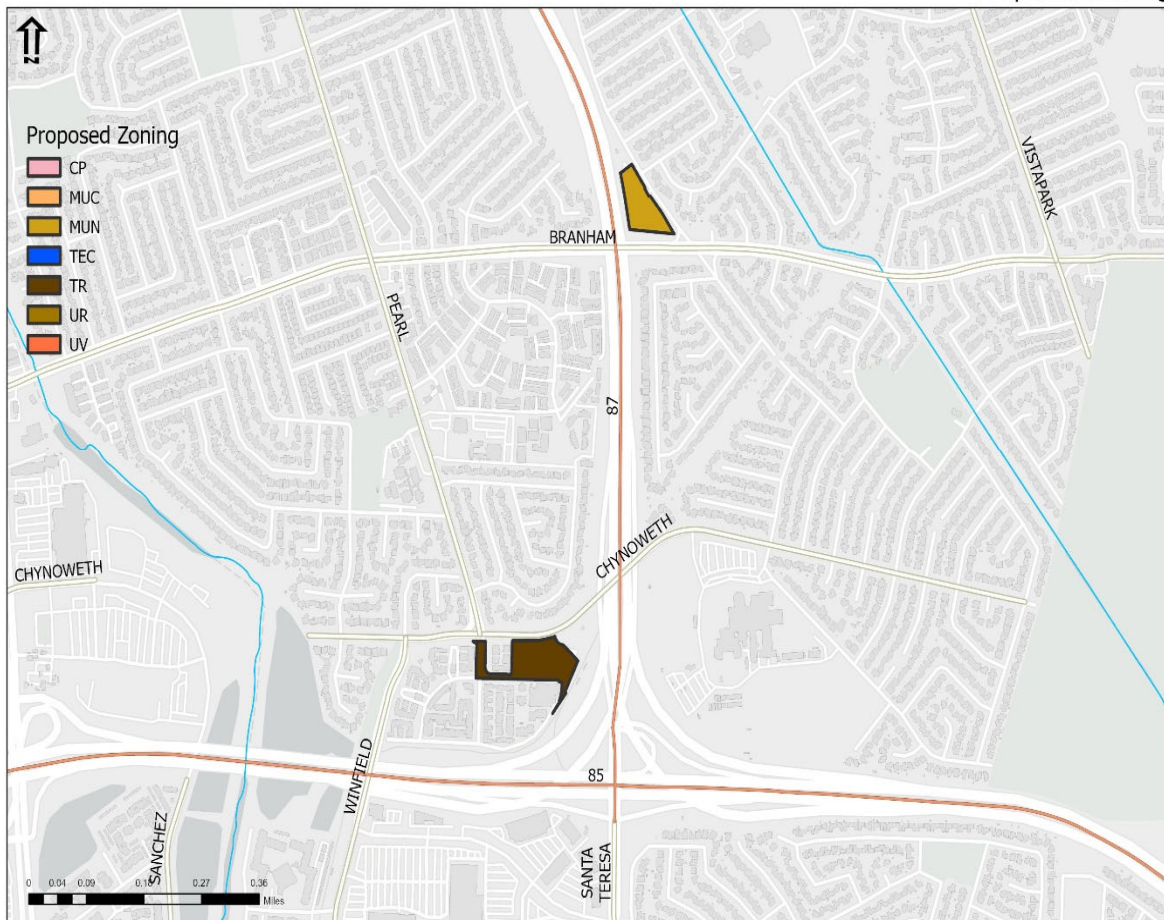
Map 5

Proposed Zoning



Map 6

Proposed Zoning



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Map 7

Proposed Zoning

